

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Original Application No: 1134 of 1994

Akhlaque Nasra Applicant.

Versus

Union of India & Ors. Respondents.

Hon'ble Mr. S.Das Gupta, Member-A

Hon'ble Mr. T.L.Verma, Member-J

(By Hon'ble Mr. S.Das Gupta, A.M.)

Heard Shri Sudhir Agarwal, learned
counsel for the applicant on admission.

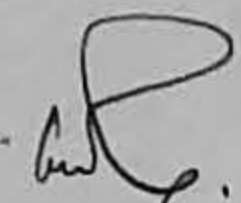
2. Brief facts of the case are that the applicant was a candidate for the post of Inspector, Central Excise, Income Tax for which an examination was held in 1989 under the *regis* of Staff Selection Commission, Allahabad. The applicant was to appear from Agra Centre but later, he actually appeared from Allahabad. He passed in the Written Examination and was also called for vivo-voce. It appears that thereafter, the Staff Selection ^{Commission} had called for explanation of the applicant vide their letter dated 31.5.1990 (Annexure-2) as to why he appeared from Allahabad without express permission of the Commission. The applicant is stated to have submitted his explanation vide his letter dated 4.6.1990 (Annexure-3) and thereafter, having not received any decision in the case, he sent another letter dated 17.2.1992 (Annexure-4) requesting for decision in the matter. It is stated, so far no decision has been given by the Staff Selection

56

Commission. The applicant has prayed for a direction from this Tribunal to the respondents to declare the result of the applicant in the examination 1989 for the post of Inspector, Central Excise / Income Tax and/or finalise the matter in respect of the show cause notice dated 31.5.1990 which was stated to have been replied by the applicant on 4.6.1990.

3. We have considered the matter carefully. Since the applicant was asked to give an explanation as to why he appeared from Allahabad instead of Agra and the applicant^W stated to have submitted his explanation, It is just and fair on the part of the respondent No. 2 & 3 to take decision in the matter based on the explanation given by the applicant. We, therefore, direct them to consider the explanation given by the applicant vide his letter dated 4.6.1990 and take a decision thereon on merit, if not, already done, and communicate the same to the applicant within a period of 2 months from the date of communication of this order. With this direction, this application is - disposed of at the admission stage itself.


Member-J


Member-A

Allahabad Dated: August 4, 1994

/jw/